

DD/A Registry  
File Personnel-11

DDA 78-0886

9 MAR 1978

STATINTL

MEMORANDUM FOR: [REDACTED]

FROM : Michael J. Malanick  
Associate Deputy Director for Administration

SUBJECT : DDA Upward Mobility Program (Project AIM)

REFERENCE : Your Memo dtd 27 Feb 78

Dottie:

I am truly sorry that your participation in our upward mobility program has caused you pain and grief. The program as designed is managed on a non-discriminatory basis. All DDA careerists that meet the eligibility requirements are encouraged to participate. However, I think it's only fair to remind you that each AIM position offered under the auspices of the program has its own set of qualifications and I expect each Office Director to be cognizant of these requirements. Also, I have asked each Office Director to participate in the final selection of AIM candidates and I have extended them the authority to select any member of the "top category" or none at all. Unfortunately, none were selected for OMS's position, even though all four candidates made very fine scores, including the candidate to whom the position was offered.

In selecting a position in OMS for participation, every effort was made to identify a position that fulfilled the requirements as outlined in the DDA Administrative Instruction No. 76-2. Many OMS positions which offered higher grade levels as described in the administrative instruction require technical or professional education or training. Individuals are hired therefore, with those qualifications already in evidence at the time of employment.

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Records of five individuals were forwarded to the Director of Medical Services as candidates for, and as individuals interested in the psychometrist position. Before interviews with the individuals were completed, as required by Project AIM instructions, one candidate was withdrawn by the Project AIM office. The four remaining candidates' files were forwarded to the Director of Medical Services for review and the four candidates were interviewed. On review of the records only one individual had qualifications in terms of education that had been previously outlined by OMS both in writing and in briefing sessions. A candidate was selected by the Director of Medical Services based on the total available evidence as being the only candidate qualified when measured against the stated desirable qualifications.

On 17 January 1978 the Chairman, Project AIM Working Group was advised by memorandum of the choice of candidate. Unfortunately this candidate withdrew. It was and is the judgment of the Director of Medical Services that none of the remaining candidates were qualified and the Chairman, Project AIM Working Group was advised verbally.

In reference to any "legal liability" such was not and is not an issue in the selection of a candidate for this project. The principal qualification which is of prime importance centers around the requirement for a Bachelor's degree in one of the behavioral or social sciences, or at least some social science credits with a willingness to actively pursue a degree in this field. It was on that important requirement that much weight was given in the final decision. Only one candidate met that requirement, and that was the one selected.

You have been an employee in various positions in the Office of Medical Services. Your interest in improving yourself, in getting ahead, willingness to work, and your contribution to the successful functioning of the office is well established. The Director of Medical Services believes that during that service, the office has supported and encouraged you and has advanced you for your performance. The Director of Medical Services, Chairman, AIM Working Group, and I regret the statement made by you concerning discrimination and we can assure you that such never entered into the selection mechanism in Project AIM.

/s/ Michael J. Malanick

Michael J. Malanick

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**CONFIDENTIAL**

## CHAPTER

*An Act to amend and reenact §§ 54-102.17 and 54-864 as amended, of the Code of Virginia; to amend the Code of Virginia by adding in Title 54 a chapter numbered 28, consisting of sections numbered 54-923 through 54-948; and to repeal Chapter 5.1 of Title 54, containing sections numbered 54-102.1, 54-102.2, 54-102.3 and 54-102.14, as severally amended, and Chapter 18.1 of Title 54, containing sections numbered 54-775.2, 54-775.3, 54-775.4 and 54-775.7, as amended, of the Code of Virginia; and to amend the second enactment of Chapter 648 of the 1975 Acts of Assembly, the amended, added and repealed sections relating to the regulation of behavioral science professions.*

[H 378]

### Approved

Be it enacted by the General Assembly of Virginia:

1. That §§ 54-102.17 and 54-864 as amended, of the Code of Virginia are amended and reenacted, and that the Code of Virginia is amended by adding in Title 54 a chapter numbered 28, consisting of sections numbered 54-923 through 54-948, as follows:

§ 54-102.17. Certification of persons entitled to practice; advertising prohibited.—A. Any person having at least a masters degree in guidance, counseling, personnel services, or educational counseling or an equivalent degree, and who has at least four years of experience in guidance and personnel counseling as herein defined and described shall be entitled to practice guidance and personnel counseling as defined in this chapter upon receipt of a certificate from the Department of Professional and Occupational Regulation. Practice of guidance and personnel counseling without a certificate is hereby prohibited.

B. Application for a certificate to practice guidance and personnel counseling shall be in writing to the Director, Department of Professional and Occupational Regulation, and shall include his name, age, residence and business or employment address, names of two character references, and documentary evidence as to having satisfied the above-stated degree requirement and an affidavit with regard to the experience requirement above set forth.

C. Upon verification that the above-stated academic and experience requirements are met, unless there is evidence that the applicant is not of good moral character, the Director of the Department of Professional and Occupational Regulation shall issue the applicant an appropriate certificate, which shall evidence his right to perform the services defined and described and as limited by this chapter. The Director of the Department of Professional and Occupational Regulation shall have the authority to establish criteria and procedures for determining whether an applicant for a certificate meets the educational and experience requirements of § 54-102.17.

D. No person certified under this chapter shall advertise, directly or indirectly, as a psychologist or a clinical psychologist.

E. All certificates issued in accordance herewith shall be null and void and of no effect after July-January one, nineteen hundred seventy-seven ~~six~~ and shall contain the expiration date thereon.

§ 54-864. Administration; certain powers and duties of Director with respect to boards.—It shall be the duty of the Director to perform the administrative duties of the following boards and agencies of the Commonwealth: (1) the State Board of Accountancy; (2) the State Board of Architects, Professional Engineers and Land Surveyors; (3) the Virginia Board of Psychologists Examiners; (4) the State Board for the Certification of Librarians; (5) the Board of Examiners of Mines, created by Chapter 150 of the Acts of the General Assembly of nineteen hundred forty; (6) the Board of Commissioners to Examine Pilots; (7) the Virginia Real Estate Commission; (8) the Board of Veterinary Examiners; (9) the Board of Barber Examiners; (10) the Virginia State Board of Opticians; (11) the Virginia State Board of Registered Professional Hairdressers; (12) the Virginia Board for Registration of Social Workers; (13) the Virginia Board of Hearing Aid Dealers and Fitters; (14) Board for Certification of Operators of Water and Wastewater Works; (15) the State Board of Sanitarian Examiners; (16) the State Board of Examiners for Nursing Home Administrators; and (17) the Virginia Board of Examiners for Audiology and Speech Pathology ; and (18) the Virginia Board of Behavioral Science.

Each of the boards designated in this section and § 54-865 is hereby transferred to the Department of Professional and Occupational Regulation, and each shall be a separate board within said Department. All of the administrative functions of the boards designated in this section shall be under the direction and supervision of the Director, and it shall be the duty of the members of each of the several boards designated in this section to cooperate with the Director to the end that his powers of direction and supervision of the administrative functions of each board shall not be impaired.

In the performance and discharge of his duties hereunder with respect to the boards designated in this section only, the Director shall (1) be the secretary of each board; (2) maintain all records for each board; (3) collect and account for all fees prescribed to be paid into each board and account for and deposit the moneys so collected into a special fund from which the expenses of the Commission, regulatory boards and Department shall be paid; (4) make and file annually with the Governor a consolidated report with respect to each board; (5) employ such personnel and assistance as may be required for the operation of said boards; (6) enforce all regulations promulgated by said boards; (7) exercise such other powers as may be necessary to function as the sole administrative officer and director of each of said boards; and (8) perform such additional administrative functions as may be prescribed by the Virginia Commission for Professional and Occupational Regulation.

*Chapter 28.*

*Behavioral Science Professions.*

*Article 1.*

*Behavioral Science Board and  
Professional Boards and Certification  
Committees Generally.*

§ 54-923. Statement of policy; intention.—It is declared to be the policy of the Commonwealth of Virginia that the activities of those persons who render services to the public in the behavioral science area be regulated to ensure the protection of the public health, safety and welfare. The Commonwealth also recognizes the fact that the many professions offering these services overlap and intertwine to a substantial degree. This fact

results in the need for these professions to work in close harmony with each other to maintain quality service to the citizens and to prevent infringement on the rights of practitioners to engage in their lawful professions, which infringements may harm the public. The system of regulation established herein is intended to provide professional responsibility for the public and harmony among the professions.

§ 54-924. Definitions: As used in this chapter the following terms shall have the following meanings unless the context clearly indicates otherwise:

- a. "Board" means the Virginia Board of Behavioral Science.
- b. "Department" means the Department of Professional and Occupational Regulation.
- c. "Commission" means the Commission for Professional and Occupational Regulation.
- d. "Professional board" means any board having membership on the Virginia Board of Behavioral Science.
- e. "Certification committee" is a specialty committee serving as part of a professional board.

§ 54-925. Virginia Board of Behavioral Science created; membership; removal.—There is hereby created the Virginia Board of Behavioral Science which shall consist of two citizen members appointed by the Governor and two members from and selected by each professional board operating under this chapter. The citizen members of the Board shall be appointed for five-year terms; provided, however, that the initial term of one of the first citizen members appointed shall be three years. Appointments to fill vacancies created by death, resignation or removal shall be for the remainder of the unexpired term; and no member may serve more than two full terms.

The Governor may remove any member of the Board for cause, and the Governor shall be the sole judge of the sufficiency of the cause of removal.

§ 54-926. Quorum of the Board.—A quorum of the Behavioral Science Board shall be a majority of the Board which includes at least one member of each professional board and one citizen member.

§ 54-927. Powers and duties of the Board.—The Board shall have the following powers and duties:

a. To promulgate qualifications of applicants for licensing or certification developed by each professional board provided that all such qualifications shall be necessary to ensure either competence or integrity to engage in such profession or occupation, and provided further, that each professional board shall have sole power to determine qualifications for licensure or certification within the profession regulated by such professional board.

b. To license or certify qualified applicants as practitioners of the particular behavioral science profession regulated. The Board of Behavioral Science shall certify or issue a license to practice the particular behavioral science profession to every applicant who is recommended to the Board by the appropriate professional board, who complies with the requirements of this chapter, the rules of the Board, and the rules of such professional board.

c. To levy and collect fees for certification or licensing and renewal thereof that are sufficient to cover all expenses for the administration of this chapter and a proper proportion of all expenses for the administration and operation of both the Department and the Commission.

d. To promulgate regulations necessary to administer effectively the regulatory system administered by the Board; provided that such regulations shall not be in conflict with the purposes and intent of Chapter 1.1, Title 54 and the regulations of each professional board.

e. To ensure that inspections are conducted by each professional board relating to the practice of each practitioner in conducting his practice in a competent manner and within the lawful regulations promulgated by the Board and such professional board.

f. To review the investigative action taken by each professional board.

g. To revoke, suspend or fail to renew a certificate or license which it has the authority to issue for just causes as are enumerated in regulations of the Board and of the appropriate professional board.



h. To meet with the Commission annually to review the activities of the regulatory systems of the Board prior to the report by the Commission to the General Assembly of Virginia.

i. To recommend to the Commission the creation of related professional boards, if deemed necessary and in the best interest of the public.

j. To promulgate a canon of ethics under which the professional activities of persons regulated shall be conducted.

§ 54-928. Membership of professional boards and certification committee; terms; removal.—The professional boards and certification committees operating under this chapter shall consist of those members appointed by the Governor and, where appropriate, selected by certification committees as provided in this chapter. Appointments to fill vacancies created by death, resignation or removal shall be for the remainder of the unexpired term; and no member may serve for more than two full terms. The Governor may remove any member of any board or certification committee for cause, and the Governor shall be the sole judge of the sufficiency of the cause for removal.

§ 54-929. Powers and duties of professional boards.—Each professional board operating under this chapter shall have the following powers and duties:

a. To promulgate regulations necessary to administer effectively the regulatory system administered by the professional board.

b. To develop and forward to the Board, for promulgation, qualifications necessary for licensure certification, or designation under this chapter.

c. To evaluate the qualifications of individuals applying to it for licensing based upon the regulations promulgated by the Board. Such evaluation may include the preparation and administration of examinations.

d. To hire independent examiners and/or to establish examining committees.

e. To recommend to the Board for licensing certification or designation of all persons who successfully meet the qualifications developed by the appropriate professional board or certification committee. Only a majority vote of the appropriate professional board shall be necessary for such recommendation.

f. To investigate complaints concerning the conduct of any person whose activities are regulated by the professional board.

g. To hold hearings and recommend to the Board revocation, suspension or nonrenewal of a license or certificate.

h. To establish a canon of ethics consistent with the canon of ethics of the Board.

i. To cooperate with and maintain a close liaison with the Board, the other professional boards and the community to ensure that regulatory systems stay abreast of community and professional needs.

j. To select two of its members to serve on the Board.

§ 54-930. Powers and duties of certification committees.—Each certification committee operating under this chapter shall have the following powers and duties:

a. To develop and forward to the appropriate professional board, qualifications necessary for certification. Such standards as they propose shall be approved by the professional board.

b. To evaluate the qualifications of individual applicants for certification by that particular certification committee based on the regulations promulgated by the Board. Such evaluation may include the preparation and administration of examinations.

c. To recommend for certification to the professional board all persons who have successfully met the qualifications developed by that certification committee. Only a majority vote of the appropriate certification committee shall be necessary for such recommendation.

d. To establish a canon of ethics consistent with the canon of ethics of the professional board and the Board.

§ 54-931. Designation of specialties.—The professional boards operating under this chapter may provide for the designation of specialties within their professional fields.

Article 2.

Professional Counselors; Certified Alcoholism and Drug



*Certification Committees; License without Examination.*

§ 54-932. Definitions.—As used in this article:

a. "Professional counselor" shall mean a person trained in counseling and guidance services with emphasis on individual and group guidance and counseling designed to assist individuals in achieving more effective personal, social, educational and career development and adjustment.

b. "Certified alcoholism counselor" shall mean a person certified to provide alcoholism counseling in a State approved public or private alcoholism program and/or facility.

c. "Certified drug counselor" shall mean a person certified to provide drug counseling in a State approved public or private drug program and/or facility.

d. "Practice of counseling" shall mean rendering or offering to render to individuals, groups, organizations, or the general public any service involving the application of principles, methods or procedures of the counseling profession, to include:

(1) "Counseling" which means assisting an individual, through the counseling relationship, to develop understanding of personal problems, to define goals, and to plan action reflecting his interest, abilities, aptitudes, and needs as these are related to educational progress, occupations and careers, and personal-social concerns.

(2) "Appraisal activities" which mean selecting, administering, scoring and interpreting instruments designed to assess an individual's aptitudes, attitudes, abilities, achievements and interests, and shall not include the use of projective techniques in the assessment of personality.

(3) "Counseling, guidance and personnel consulting" which mean interpreting or reporting upon scientific fact or theory in counseling, guidance and personnel services to provide assistance in solving some current or potential problems of individuals, groups, or organizations.

(4) "Referral activities" which mean the evaluating of data to identify problems and to determine advisability of referral to other specialists.

§ 54-933. Virginia Board of Professional Counselors created; membership.—There is hereby created the Virginia Board of Professional Counselors which shall have such powers and duties as are granted it under this chapter for the purpose of regulating the practice of counseling.

The Virginia Board of Professional Counselors shall consist of seven members, five appointed by the Governor directly and two selected pursuant to § 54-934, as follows: one faculty member from an accredited college or university in this State and actively engaged in teaching counseling, and one member, respectively, from and actively engaged in each of the fields of (i) educational counseling, (ii) rehabilitation counseling, (iii) marriage-family counseling, (iv) pastoral counseling, (v) alcohol counseling and (vi) drug counseling.

The professional board members initially shall be persons who are eligible for licensure or certification hereunder; and subsequent appointees shall be licensed or certified counselors, as the case may be.

The terms of the members of the board shall be four years; provided, however, that of the initial board, one member shall be appointed for one year, two members for two years each, two members for three years each, and two members for four years each.

§ 54-934. Drug and Alcoholism Counselor Certification Committees.—The Drug and Alcoholism Certification Committees shall be composed of five members, each appointed by the Governor, who are eligible for certification as certified drug or alcoholism counselors, or who have direct responsibility for drug or alcoholism certification programs. The separate committees shall each elect a chairman and shall each elect a member to serve as a member of the Virginia Board of Professional Counselors.

§ 54-935. License without Examination.—Any person certified or qualified for certification as a Guidance and Personnel Counselor under Chapter 5.2, Title 54 (§ 54-102.15, et seq.) shall upon proper application made prior to January one, nineteen hundred seventy-seven, be licensed to practice as a Professional Counselor.

**Article 3.**

Psychologists, School Psychologists, Clinical Psychologists, etc. Virginia Board of Psychology; Licenses.

**§ 54-936. Definitions.—As used in this article:**

a. "Psychologist" shall mean a person trained in the application of established principles of learning, motivation, perception, thinking and emotional relationships to problems of personality evaluation, group relations, and behavior adjustment.

b. "School psychologist" shall mean a person who specializes in problems manifested in and associated with educational systems and who utilizes psychological concepts and methods in programs or actions which attempt to improve learning conditions for students or who is employed in this capacity by a public or nonprofit educational institution or who offers to render such services to the public whether or not employed by such an institution.

c. "Clinical psychologist" shall mean a psychologist who is competent to apply the principles and techniques of psychological evaluation and psychotherapy to individual clients for the purpose of ameliorating or attenuating problems of behavioral and/or emotional maladjustment.

d. "Practice of psychology" shall mean the rendering or offering to render to individuals, groups, organizations, or the general public any service involving the application of principles, methods or procedures of the science and profession of psychology, and which includes, but is not limited to:

(1) "Measuring and testing," which consists of the psychological assessment and evaluation of abilities, attitudes, aptitudes, achievements, adjustments, motives, personality dynamics or other psychological attributes of individuals, or groups of individuals by means of standardized measurements or other methods, techniques or procedures recognized by the science and profession of psychology.

(2) "Counseling and psychotherapy," which consists of the application of principles of learning and motivation in an interpersonal situation with the objectives of modification of perception and adjustment; consisting of highly developed skills, techniques, and methods of altering through learning processes, attitudes, feelings, values, self-concept, personal goals and adaptive patterns.

(3) "Psychological consulting," which consists of interpreting or reporting upon scientific fact or theory in psychology, rendering expert psychological opinion, psychological evaluation, or engaging in applied psychological research.

e. The "practice of school psychology" shall mean the rendering or offering to render to individuals, groups, organizations, government agents or the public any of the following services:

(1) "Testing and measuring" which consists of psychological assessment, evaluation and diagnosis relative to the assessment of intellectual ability, aptitudes, achievement, adjustment, motivation, personality or any other psychological attribute of persons as individuals or in groups that directly relates to learning or behavioral problems in an educational setting.

(2) "Counseling" which consists of professional advisement and interpretive services with children or adults for amelioration or prevention of educationally related problems.

(a) Counseling services relative to the practice of school psychology include but are not limited to the procedures of verbal interaction, interviewing, behavior modification, environmental manipulation and group processes.

(b) Counseling services relative to the practice of school psychology are short-term and are situation oriented.

(3) "Consultation" which consists of educational or vocational consultation or direct educational services to schools, agencies, organizations or individuals. Consultation as herein defined is directly related to learning problems and related adjustments.

(4) Development of programs such as designing more efficient and psychologically sound classroom situations and acting as a catalyst for teacher involvement in adaptations and innovations.

f. The "practice of clinical psychology" shall mean the offering by an individual of his services to the public as a clinical psychologist.

**§ 54-937. Virginia Board of Psychology; membership.—**The Virginia Board of Psychologists Examiners heretofore appointed pursuant to § 54-102.2 is hereby continued, and shall hereafter be known as the Virginia Board of Psychology with such powers and

duties granted it under this chapter for the purpose of regulating the practice of psychology and school psychology. The membership of such professional board shall be representative of the practices of psychology and shall consist of three persons who are members of the faculty of an accredited college or university in this State, who are actively engaged in teaching psychology and who are licensed or qualified to be licensed as a psychologist, one person licensed or qualified to be licensed as a clinical psychologist, and one person licensed or qualified to be licensed as a school psychologist.

§ 54-938. Licenses and certificates continued.—All licenses and certificates heretofore issued under the provisions of Chapter 5.1 of Title 54 (§ 54-102.1 et seq.) shall continue in effect.

§ 54-939. License as clinical psychologist.—The candidate for licensure as clinical psychologist shall be recommended by the Virginia Board of Psychology to the State Board of Medicine from which all instructions regarding the administration of such license will thereafter be secured.

#### Article 4.

##### Social Workers; Virginia Board of Social Workers; Licenses and Certificates.

§ 54-941. Definitions.—As used in this article:

a. "Social worker" means a person trained to provide service and action to effect changes in human behavior, emotional responses, and the social conditions by the application of the values, principles, methods, and procedures of the profession of social work.

b. "Clinical social worker" shall mean a social worker who, by education and experience, is professionally qualified at the autonomous practice level to provide direct diagnostic, preventive and treatment services where functioning, in threatened or affected by social and psychological stress or health impairment.

c. The "practice of social work" means rendering or offering to render to individuals, families, groups, organizations, governmental units, or the general public service which is guided by special knowledge of social resources, social systems, human capabilities, and the part conscious and unconscious motivation play in determining behavior. The disciplined application of social work values, principles and methods includes but is not restricted to the following:

(1) "Counseling and psycho-social treatment" shall mean helping individuals, families and groups in their personal, family and group adjustment; explaining and interpreting the psycho-social aspects of a situation to individuals, families, groups, or those persons in other settings, such as health care facilities.

(2) "Community organization" shall mean helping organizations and communities analyze social problems and human needs and providing human services, assisting organizations and communities in organizing for general neighborhood improvement or community development, and improving social conditions through the application of social planning, advocacy and social policy formulations.

(3) "Supportive services" shall mean providing general assistance, information, referral sources, and other supportive services such as administration, consultation, research and teaching; and assisting in problem-solving activities.

§ 54-942. Virginia Board of Social Workers; membership.—The Virginia Board for Registration of Social Workers heretofore appointed pursuant to § 54-775.2 is hereby continued, and shall hereafter be known as the Virginia Board of Social Workers with such powers and duties granted it under this chapter for the purpose of regulating the practice of social work.

Each of the members of the board shall be residents of Virginia, shall be licensed and shall have been in active practice of social work for not less than five years prior to appointment.

§ 54-943. Licenses and certificates continued.—All licenses and certificates heretofore issued under the provisions of Chapter 18.1 of Title 54 (§ 54-775.1 et seq.) shall continue in effect, and be renewable under this chapter.

#### Article 5.

##### Exemptions; Drugs; Delayed Compliance;

*Mental Health Service Providers; Hardship.*

§ 54-944. Exemptions.—The requirements for licensure or certification provided for in this chapter shall not be applicable to:

(a) Persons who render services that are like or similar to those falling within the scope of the classifications or categories provided for in this chapter, so long as the recipients or beneficiaries of such services are not subject to any charge or fee, or any financial requirement, actual or implied, and provided that the person rendering such service is not held out, by himself or otherwise, as a licensed or certified practitioner.

(b) The activities or services of a student pursuing a course of study in counseling, psychology, school psychology or social work in an institution accredited by a regional accrediting agency approved by the State Board of Education or under the supervision of a practitioner licensed or certified under this chapter; provided that such activities or services constitute a part of his or her course of study and are adequately supervised.

(c) The activities of rabbis, priests, ministers or clergymen of any religious denomination or sect when such activities are within the scope of the performance of their regular or specialized ministerial duties, and for which no separate charge is made or when such activities are performed, whether with or without charge, for or under auspices or sponsorship, individually or in conjunction with others, of an established and legally cognizable church, denomination or sect, and when the person rendering service remains accountable to the established authority thereof.

(d) Persons employed as salaried employees or volunteers of the Federal government, the Commonwealth, a locality, or of any agency established or funded, in whole or part, by any such governmental entity or of a private, non-profit organization or agency sponsored or funded, in whole or part, by a community based citizen group or organization.

(e) Persons regularly employed by private business firms as personnel managers, deputies or assistants so long as their counseling activities relate only to employees of their employer and in respect to their employment.

§ 54-945. Prescribing drugs not permitted.—Nothing in this chapter shall be construed as permitting the administration or prescribing of drugs or in any way infringing upon the practice of medicine as defined in Chapter 12 (§ 54-273 et seq.) of this title.

§ 54-946. Delay of requirements for newly regulated occupations.—Those persons whose occupations were not previously either eligible or required to be licensed or certified and who now fall under the purview of this chapter will have until January one, nineteen hundred seventy-eight to comply with the appropriate provisions of this chapter.

§ 54-948. If the Board shall determine that enforcement of the provisions of this chapter will result in undue hardship to any person otherwise entitled to carry on an established activity that, in the opinion of the Board, does not constitute a substantial risk to the public, the Board may issue a temporary permit for the conducting of such activity; provided such permit shall not be for a period longer than one year, nor renewed more than once.

2. That Chapter 5.1 of Title 54, containing sections numbered 54-102.1, 54-102.2, 54-102.3, and 54-102.14, as severally amended, and Chapter 18.1 of Title 54, containing sections numbered 54-775.2, 54-775.3, 54-775.4 and 54-775.7, as amended, are repealed.

3. That this act shall become effective on January one, nineteen hundred seventy-seven, except those sections and parts thereof necessary for the appointment of the members of the various boards and for the establishment of rules, regulations, requirements and qualifications by the various boards, such sections and parts thereof to become effective on July one, nineteen hundred seventy-six.

4. That the regulations of those professional boards continued under this act, where not inconsistent with the provisions of this act, shall be adopted by such professional boards and in so doing such professional board shall not be bound by the provisions of the Administrative Process Act (Chapter 1.1:1 of Title 9).

5. That the second enactment of Chapter 648 of the nineteen hundred seventy-five Acts of Assembly is amended to provide that